

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

GARY WAAG,)	
)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 1:14cv1715
SOTERA DEFENSE SOLUTIONS,)	
INC.,)	
)	
Defendant.)	

PROPOSED JOINT DISCOVERY PLAN

COME NOW the Parties, Plaintiff Gary Waag (“Mr. Waag” or “Plaintiff”) and Defendant Sotera Defense Solutions, Inc. (“Sotera” or “Defendant”), by counsel, pursuant to this court's order of May 13, 2015, and hereby propose the following plan for completion of discovery in this matter:

1. The Parties conferred on Monday, June 1, 2015, prior to the conference date, to consider claims, defenses, possibilities of a prompt settlement, and a trial before a magistrate judge as required by Rule 26. The Parties have discussed the potential for mediation in this matter and have agreed to re-address the issue once sufficient investigation and litigation have taken place to determine the possibilities for settlement in the case.
2. The Parties propose that they agree to exchange disclosures required by Fed. R. Civ. P. 26(a)(1) on or before Monday, June 15, 2015.
3. The Parties do not consent to proceed before a United States Magistrate Judge.
4. The Parties do not at this time anticipate the need to take more than five non-party, non-expert witness depositions per party. The Parties further state that each party will not need to

serve more than 30 interrogatories per party, including parts and sub-parts. The Parties propose that should any party believe that additional depositions or interrogatories may be necessary, the Parties will confer and endeavor to reach an agreement with regard to any additional discovery requests. If the Parties cannot agree on such an issue any party may ask that the issue be decided by the court.

5. The Parties propose that as to certain additional matters required under Rule 26, the Parties should produce electronically stored information in “PDF” or “TIFF” format. The Parties propose that they agree to send out a document preservation (“hold”) letter to their clients within seven days of entry of this plan, if they have not already done so.

6. The Parties propose the following schedule with regard to identification of any expert witnesses: the Parties shall identify expert witnesses and provide the required report(s) for such witnesses on or before August 14.

7. The Parties understand and agree that all discovery must be completed by September 11, 2015. The Parties also understand and agree that all discovery requests must be served so that responses are timely due on or before September 11, 2015.

8. The Parties agree in principal to a stipulated protective order to be filed and approved with this Court or the Magistrate Judge in order to facilitate the discovery of sensitive or confidential information.

9. The Parties agree to depose Plaintiff in early July, 2015.

10. The Parties agree that all pleadings, motions and other papers that are filed with the Court will be distributed to the Parties via the Court's electronic notification system, as provided by the Federal Rules of Civil Procedure and the Local Rules, which shall constitute sufficient service. In addition, the Parties agree that each has the option to serve by email all discovery

requests, written responses, and any other papers that are not filed with the Court. The serving party shall attach the pleading or paper in a “PDF” or other form of electronic file. For purposes of calculating response deadlines, any emailed document will be treated as having been personally served on the day it was sent (including and up to midnight), excluding Defendant’s first discovery requests to Plaintiff which were sent by mail.

Hogan & Pritchard, PLLC

/s/ Martin P. Hogan

Martin P. Hogan, Esq.
VA Bar No. 33876
11350 Random Hills Road, Suite 800
Fairfax, VA 22030
(703) 352-7034

BARNES & THORNBURG LLP

/s/ Devin J. Stone

Devin J. Stone, Esq.
VA Bar No. 88323.
Suite 500
1717 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 289-1313
Facsimile: (202) 289 1330
devin.stone@btlaw.com

John F. Meyers
(admitted pro hac vice)
Prominence in Buckhead, Suite 1700
3475 Piedmont Road, N.E.
Atlanta, GA 30305
Telephone: (404) 264-4017
Facsimile: (404) 264-4033
John.Meyers@btlaw.com

*Attorneys for Defendants
Sotera Defense Solutions, Inc.*

CERTIFICATE OF SERVICE

I certify that on June 10, 2015, I electronically filed the foregoing Proposed Joint Discovery Plan using the CM/ECF system, which will automatically send electronic notification of such filing to the following attorney of record:

Martin P. Hogan
Hogan & Pritchard, PLLC
11350 Random Hills Road, Suite 800
Fairfax, VA 22030

s/ Devin J. Stone
Devin J. Stone, Esq.